

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: DECEMBER 6, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-25238 - APPLICANT: RR PROPERTIES, LLC - OWNER:
VISION SIGN**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (Z-0100-64), and Site Development Plan Review [Z-0100-64(170)] if approved.
2. This approval shall be void two years from the date of final approval, upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Variance to allow a zero-foot front yard setback where five-feet is required for a proposed monument sign on 0.68 acres at 801 South 4th Street.

The proposed monument sign is six feet in height and 10 feet in width. As shown on the dimensioned elevations the area of sign content will cover 24 square feet of the overall 60 square feet of sign. Placement of the sign will be on the property line within a landscape planter of the subject property, which is located two and a half feet from the back of a 20.5 foot wide sidewalk.

The applicant states the monument sign is necessary to identify tenants of the building with signage space. Due to the design of the building signage space on the wall is limited. Also, the application and removal of signage is damaging to the building surface. Because of the wide sidewalk in front of the building plus the additional two and one-half feet to the property line, staff finds the proposed monument sign may be constructed with a zero foot setback without adverse impact to the appearance of the streetscape and recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
10/14/99	The Planning Commission approved a Site Development Plan Review [Z-100-64(170)] for a proposed 15,320 square foot, three story office building located on the southeast corner of Gass Avenue and Fourth Street, 801 Fourth Street.
11/01/01	The Planning Commission approved a Site Development Plan Review [Z-100-64(178)] for a parking lot on 0.2 acres at 813 Fourth Street.
<i>Related Building Permits/Business Licenses</i>	
12/12/01	Trash Encl CLV Wall Design 32X6 (Permit 1019722)
01/10/02	New Building Mechanical (Permit 1016714)
07/10/02	Sign Tag #006072 (Permit 2009165)
03/15/02	New Building – Special Inspection/Terracon (Permit 9114)
04/08/05	Sign Tag #08120 (Permit 5000856)
<i>Pre-Application Meeting</i>	
10/17/07	Discussed size and location of sign on setback line, and submittal requirements for a variance.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	
<i>Field Check</i>	
10/31/07	The location for the sign is in a landscape area in back of the existing sidewalk.

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<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	.68

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Office	MXU (Mixed Use)	C-2 (General Commercial)
North	Office	PF (Public Facility)	C-2 (General Commission)
South	Vacant	MXU (Mixed Use)	C-1 (Limited Commercial) (Under a Resolution of Intent to C-2 (General Commercial))
East	Commercial	MXU (Mixed Use)	C-2 (General Commercial)
West	Commercial	MXU (Mixed Use)	C-2 (General Commercial)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Downtown Centennial Plan	X		Y
Redevelopment Plan Area	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

The subject site is within the Las Vegas Downtown Centennial Plan as adopted on January 3, 2007. It has a land use designation of MXU (Mixed Use), which is consistent with the C-2 (General Commercial) zoning district. This designation allows for retail, office and residential uses.

DEVELOPMENT STANDARDS

As per the Centennial Downtown Development Plan signage is to be in conformance with current Title 19.14 Sign Standards. Pursuant to Title 19.14, the following Sign Standards apply to the subject proposal:

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Monument Signs: 19.14		
Standards	Allowed	Provided
Maximum Number	1 / 100 lineal feet of Street frontage 1 total	1 / Street frontage 1 total
Maximum Area	75 SF /sign	60 square feet
Maximum Height	8 Feet	6 feet
Minimum Setback	5 Feet	0 feet
Illumination	Direct/Internal	Non-Illuminated Sign

The proposed sign does not meet the minimum setback of five feet from the front property line.

ANALYSIS

The applicant is proposing to build one monument sign at the property line, where a setback of five feet is required. The sign will have a height of six feet and a signage area of 24 square feet. At a width of one foot four inches and an overall length of 10 feet the sign will cover a small portion of space within the landscape. The low profile monument sign is designed to complement the architecture of the building.

Development standards for signs are established in order to promote the goals of Title 19. Included in those goals is the improvement of the quality, visibility, and appearance of the City's thoroughfares and neighborhoods. Because of the 20.5 foot width of sidewalk between the property line and the adjacent street, staff finds that the proposed monument sign will not adversely impact the appearance of the streetscape and recommends approval of this request.

FINDINGS

In accordance with the provisions of Title 19.18.070(B), Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature."

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Additionally, Title 19.18.070L states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

The 20.5 foot wide amenity zone with the sidewalk between the property line and the adjacent street is an exceptional situation and granting this variance will allow the applicant to construct the monument sign without adverse impact to the appearance of the street.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 375

APPROVALS 0

PROTESTS 1